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Dkt. 02044



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Group Art Unit: 2643

ATUSHI KUWABARA

Examiner: Tuan Duc Nguyen

Serial No.: 10/090,818

Filed: March 6, 2002

For: ELECTROMAGNETIC SOUND PRODUCING DEVICE

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Honorable Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant petitions to withdraw the holding of abandonment mailed May 17, 2005, for failure to reply to the Office Action mailed on September 25, 2003.

The undersigned did not receive the Office Action mailed on September 25, 2003. As evidence, Applicant submits a docket record from the USPTO PAIR system, showing an entry dated September 29, 2003 with the notation "Mail returned to USPTO as undelivered." A copy of the face page of this document shows it to be the Office Action dated September 25, 2003, which is stamped as received by Technology Center 2600 on September 29, 2003. Hence, the undersigned could not have received this document.

A review by the undersigned of the file jacket of this application and the docket records of his firm shows no evidence of receipt of this Office Action. Although not thought to be necessary, a copy of the docket record for the

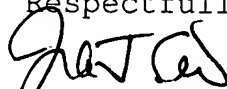
due date of December 25, 2003 is attached.

At the time that this document was mailed, the address to which it was mailed was the correct address.

Applicant has thus provided evidence that the Office Action mailed September 25, 2003 was received by Technology Center 2600 and could not have been received by the undersigned.

Withdrawal of the holding of abandonment is requested. A proposed reply to the Office Action is attached hereto.

Respectfully submitted,



Ira J. Schultz

Registration No. 28666

January 2004 February 2004
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to **DECEMBER 28**

THURSDAY, DEC. 25 359/6

FRIDAY, DEC. 26 360/5

SATURDAY, DEC. 27 361/4

7 Christmas

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8 SAEGRON 02130 IS

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9 GONZALEZ 02174 IS

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10 GONZALEZ 02175 IS

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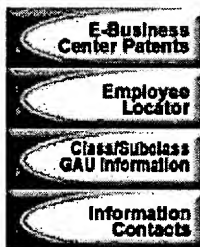


Image File Wrapper for Application No.:10/090,818

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07/09/2004	Information Disclosure Statement (IDS) Filed	PROSECUTION
06/08/2004	Change of Address	PROSECUTION
06/04/2004	Information Disclosure Statement (IDS) Filed	PROSECUTION
06/04/2004	Foreign Reference	PROSECUTION
06/04/2004	Foreign Reference	PROSECUTION
06/04/2004	Foreign Reference	PRIOR ART
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09/25/2003	Non-Final Rejection	PROSECUTION
09/08/2003	Examiner's search strategy and results	PROSECUTION
11/08/2002	Foreign Priority Papers Filed	PROSECUTION
03/06/2002	Oath or Declaration filed	PROSECUTION
03/06/2002	Fee Worksheet (PTO-875)	PROSECUTION
03/06/2002	Fee Worksheet (PTO-875)	PROSECUTION
03/06/2002	Claims Worksheet (PTO-2022)	PROSECUTION
03/06/2002	Transmittal letter	AS FILED
03/06/2002	Specification	AS FILED
03/06/2002	Claims	AS FILED
03/06/2002	Abstract	AS FILED
03/06/2002	Drawings	AS FILED
03/06/2002	Oath or Declaration filed	AS FILED



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/090,818	03/06/2002	Atsushi Kuwabara	02044	5693

7590

09/25/2003

Ira J. Schultz
DENNISON, SCHEINER & SCHULTZ
Suite 612
1745 Jefferson Davis Highway
Arlington, VA 22202

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SEP 29 2003

Technology Center 2600

EXAMINER

NGUYEN, TUAN DUC

ART UNIT

PAPER NUMBER

2643

DATE MAILED: 09/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.